

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

BRIDGESTONE SPORTS CO., LTD.,)	
and BRIDGESTONE GOLF, INC.,)	
)	
Plaintiffs,)	
)	
v.)	
)	
ACUSHNET COMPANY,)	C. A. No. 05-132 (JJF)
)	
Defendant.)	
)	
ACUSHNET COMPANY,)	DEMAND FOR JURY TRIAL
)	
Counterclaim Plaintiff,)	
)	
v.)	
)	
BRIDGESTONE SPORTS CO., LTD.)	
and BRIDGESTONE GOLD, INC.)	
)	
Counterclaim Defendant.)	

NOTICE OF SUBPOENA AD TESTIFICANDUM AND DUCES TECUM

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, Defendant and Counterclaim Plaintiff Acushnet Company ("Acushnet") has served or will serve the attached subpoena ad testificandum and duces tecum on NIKE, Inc., c/o Mr. James C. Carter, One Bowerman Drive, Beaverton, Oregon 97005.

POTTER ANDERSON & CORROON LLP

OF COUNSEL:

Alan M. Grimaldi
Joseph P. Lavelle
Matthew J. Moore
Vivian S. Kuo
HOWREY LLP
1299 Pennsylvania Avenue, N.W.
Washington, DC 20004
Telephone (202) 783-0800

Dated: October 3, 2006
753707/28946

By: /s/ David E. Moore
Richard L. Horwitz (#2246)
David E. Moore (#3983)
Hercules Plaza, 6th Floor
1313 North Market Street
P. O. Box 951
Wilmington, DE 19899-0951
(302) 984-6000
rhorwitz@potteranderson.com
dmoore@potteranderson.com

*Attorneys for Defendant
Acushnet Company*

SEP. 27. 2006 11:03AM PRO-SERVE 3606998163

NO. 929 P. 4/5

CVO 88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT
 for the DISTRICT OF Oregon

BRIDGESTONE SPORTS CO., LTD, and
 BRIDGESTONE GOLF, INC.,

V.
 ACUSHNET COMPANY.

SUBPOENA IN A CIVIL CASE

Case Number: C. A. No. 05-132 (JFF) (D. Del)

TO: NIKE, Inc,
 c/o Mr. James C. Carter
 One Bowerman Drive
 Beaverton, Oregon 97005

☐ YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY

COURTROOM

DATE AND TIME

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION T.B.D.

DATE AND TIME

T.B.D.

☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):
 See attached Exhibit A

producing documents or objects at the

PLACE T.B.D.

DATE AND TIME

October 9, 2006

☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES

DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition of directors, or managing agents, or other persons who consent to testify on its behalf, and matters on which the person will testify. Federal Rules of Civil Procedure, 30(b)(6).

If designate one or more officers,
 set forth, for each person designated, the

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)

Brian S. Seal
 Brian S. Seal (202-383-6904)

Attorney for Defendant

DATE

September 21, 2006

Howrey LLP

1299 Pennsylvania Avenue, N.W., Washington D.C. 20004

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page)

If action is pending in district other than district of issuance, state district under case number.

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NO. 929 P.5/5

AQ 88 (Rev. 1/94) Subpoena in a Civil Case

PROOF OF SERVICE

09-27-06

DATE

PLACE

Nike, Inc., 1 Bowerman

SERVED:

Carolyn Gutsick - Litigation Specialist - Corp Sub

SERVED ON (PRINT NAME)

MANNER OF SERVICE

Bruce A. Samuels, Sr.

SERVED BY (PRINT NAME)

TITLE

V.P.

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Proof of Service is true and correct.

Executed on

09-27-06

DATE

SIGNATURE OF SERVER

212 W. 13th St. Ste 11

ADDRESS OF SERVER

Vance WA 98000

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(a) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel to any such place within the state in which the trial is held, or

(iii) requires a person to disclose information or to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(ii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(iii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(iv) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(v) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(vi) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(vii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(viii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(ix) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(x) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(xi) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

from any such place within the state in which the trial is held, or

(iii) requires a person to disclose information or to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(ii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(iii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(iv) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(v) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(vi) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(vii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(viii) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(ix) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(x) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

(xi) requires a person to produce documents or other tangible things, or to appear in person, which is not relevant to the issues in the case, or

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NO. 929 P. 2/5

AFFIDAVIT OF SERVICE

State of OREGON

County of

United States District Court

Case Number: 06-132 (JFF) (D,DEL)

Plaintiff:

BRIDGESTONE SPORTS CO., LTD, and BRIDGESTONE GOLF, INC.

vs.

Defendant:

ACUSHNET COMPANY

For:

HOWERY LLP

1200 Pennsylvania Ave. NW

Washington D.C., 20004

Received by PRO-SERV to be served on NIKE, INC., c/o MR. JAMES C. CARTE , ONE SW BOWERMAN DRIVE, BEAVERTON, OR 97005.

I, Bruce Samuelson, being duly sworn, depose and say that on the 27th day of September, 2006 at 10:27 am, I:

SERVED the within named CORPORATION/ENTITY by delivering a true copy of the SUBPOENA IN A CIVIL CASE, EXHIBIT A, EXHIBIT B, STIPULATED PROTECTIVE ORDER REGARDING CONFIDENTIALITY OF DISCOVERY MATERIAL with the date and time of service endorsed thereon by me to CAROLYN GUTSICK as LITIGATION SPECIALIST of the within named corporation/entity, in compliance with State Statutes.

Description of Person Served: Age: 32, Sex: F, Race/Skin Color: Cauc., Height: 5'7", Weight: 160, Hair: Brown, Glasses: N

SEP.27.2006 11:03AM PRO-SERVE 3606998163

NO. 929 P. 3/5

AFFIDAVIT OF SERVICE for 05-132 (JF) (D.DEL)

I certify that I am a competent person over the age of 18 and a resident of the State of Washington; I am not a party to nor an officer, director or employee of, nor attorney for any party. The entity served is the same entity named in the action.

Subscribed and Sworn to before me on the 27th day of September, 2006 by the affiant who is personally known to me.

Erica Eichhorst
NOTARY PUBLIC

Notary Public
State of Washington
ERICA EICHHORST
My Appointment Expires Feb 23, 2010

Bruce Samuelson
3682177

PRO-SERV
212 W 13th Street
Suite H
Vancouver, WA 98 50
(360) 699-5651
Our Job Serial Number: 2006003317

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on October 3, 2006, the attached document was hand delivered to the following persons and was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading:

Jack B. Blumenfeld
Maryellen Noreika
Leslie A. Polizoti
Morris, Nichols, Arsht & Tunnell
1201 N. Market Street
Wilmington, DE 19801

I hereby certify that on October 3, 2006, I have Electronically Mailed the documents to the following:

Robert M. Masters
Paul, Hastings, Janofsky & Walker LLP
875 15th Street, N.W.
Washington, D.C. 20005
RobMasters@paulhastings.com

/s/ David E. Moore
Richard L. Horwitz
David E. Moore
Potter Anderson & Corroon LLP
Hercules Plaza – Sixth Floor
1313 North Market Street
P.O. Box 951
Wilmington, DE 19899-0951
(302) 984-6000
rhoorwitz@potteranderson.com
dmoore@potteranderson.com

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